

Application No.: 09/802,518

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Docket No.: 377882001100

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listing of claims in the application:

Claim 1 (currently amended): A method for preventing a symptom of herpes simplex virus infection in an individual, comprising administering a composition comprising a polynucleotide comprising an immunostimulatory sequence (ISS) to an individual exposed to herpes simplex virus, wherein the ISS comprises the sequence 5'-C, G-3', wherein the polynucleotide comprises a phosphate backbone modification, wherein the polynucleotide is greater than 6 nucleotides and less than about 200 nucleotides in length, wherein a herpes simplex virus antigen is not administered in conjunction with administration of said composition, wherein the individual is a human and wherein said composition is administered after an exposure to herpes simplex virus and within three days after the herpes simplex virus exposure in an amount sufficient to prevent a symptom of herpes simplex virus infection.

Claim 2 (original): The method of claim 1, wherein the ISS comprises the sequence 5'-T, C, G-3'.

Claim 3 (original): The method of claim 1, wherein the ISS comprises the sequence 5'-purine, purine, C, G, pyrimidine, pyrimidine, C, G-3' or 5'-purine, purine, C, G, pyrimidine, pyrimidine, C, C-3'.

Claim 4 (original): The method of claim 3, wherein the ISS comprises a sequence selected from the group consisting of 5'-AACGTTCC-3', 5'-AACGTTCCG-3', 5'-GACGTTCC-3' and 5'-GACGTTCCG-3'.

Claim 5 (original): The method of claim 1, wherein the ISS comprises the sequence 5'-TGACTGTGAACGTTCCGAGATGA-3' (SEQ ID NO:1).

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Claim 6 (original): The method of claim 1, wherein the ISS comprises the sequence 5'-TCGTCGAACGTTTCGTTAACGTTTCG-3' (SEQ ID NO:9).

Claim 7 (canceled)

Claim 8 (original): The method of claim 1, wherein administration is at a site of infection.

Claim 9 (original): The method of claim 1, wherein the herpes simplex virus is a herpes simplex virus 2 (HSV-2) virus.

Claim 10 (currently amended): A method of reducing severity of a symptom of a herpes simplex virus infection ~~in an individual infected with herpes simplex virus~~, comprising administering a composition comprising a polynucleotide comprising an immunostimulatory sequence (ISS) to said individual, wherein the ISS comprises the sequence 5'-purine, purine, C, G, pyrimidine, pyrimidine, C, G-3', or 5'-purine, purine, C, G, pyrimidine, pyrimidine, C, C-3' wherein the polynucleotide comprises a phosphate backbone modification, wherein the polynucleotide is greater than 6 nucleotides and less than about 200 nucleotides in length, wherein a herpes simplex virus antigen is not administered in conjunction with administration of said composition, wherein the individual is a human and wherein said composition is ~~parenterally administered~~ after an exposure to herpes simplex virus and within three days after the herpes simplex virus exposure in an amount sufficient to reduce severity of a symptom of herpes simplex virus infection.

Claims 11-12 (canceled)

Claim 13 (original): The method of claim 12, wherein the ISS comprises a sequence selected from the group consisting of 5'-AACGTTCC-3', 5'-AACGTTTCG-3', 5'-GACGTTCC-3' and 5'-GACGTTTCG-3'.

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Claim 14 (original): The method of claim 10, wherein the ISS comprises the sequence 5'-TGA CTGTGAACGTTTCGAGATGA-3' (SEQ ID NO:1).

Claim 15 (original): The method of claim 10, wherein the ISS comprises the sequence 5'-TCGTCGAACGTTTCGTTAACGTTTCG-3' (SEQ ID NO:9).

Claim 16 (original): The method of claim 10, wherein the composition is administered in an amount sufficient to reduce the level of viral shedding.

Claims 17-18 (canceled)

Claim 19 (original): The method of claim 10, wherein the herpes simplex virus is a herpes simplex virus 2 (HSV-2) virus.

Claim 20 (currently amended): A method of reducing recurrence of a symptom of a herpes simplex virus infection ~~in an individual infected with herpes simplex virus~~, comprising administering a composition comprising a polynucleotide comprising an immunostimulatory sequence (ISS) to said individual, wherein the ISS comprises the sequence 5'-purine, purine, C, G, pyrimidine, pyrimidine, C, G-3' or 5'-purine, purine, C, G, pyrimidine, pyrimidine, C, C-3', wherein the polynucleotide comprises a phosphate backbone modification, wherein the polynucleotide is greater than 6 nucleotides and less than about 200 nucleotides in length, wherein a herpes simplex virus antigen is not administered in conjunction with administration of said composition, wherein the individual is a human and wherein said composition is ~~parenterally administered~~ after an exposure to herpes simplex virus and within three days after the herpes simplex virus exposure in an amount sufficient to reduce recurrence of a symptom of herpes simplex virus infection.

Claims 21-22 (canceled)

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Claim 23 (original): The method of claim 22, wherein the ISS comprises a sequence selected from the group consisting of 5'-AACGTTCC-3', 5'-AACGTTTCG-3', 5'-GACGTTCC-3' and 5'-GACGTTTCG-3'.

Claim 24 (previously presented): The method of claim 20, wherein the ISS comprises the sequence  
5'-TGACTGTGAACGTTTCGAGATGA-3' (SEQ ID NO:1).

Claim 25 (original): The method of claim 20, wherein the ISS comprises the sequence  
5'-TCGTCGAACGTTTCGTTAACGTTTCG-3' (SEQ ID NO:9).

Claims 26-27 (canceled)

Claim 28 (original): The method of claim 20, wherein the herpes simplex virus is a herpes simplex virus 2 (HSV-2) virus.

Claims 29-39 (canceled)

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